

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI**

ROSALIND HOLMES,	:	Case No. 1:20-cv-825
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
UNITED STATES OF AMERICA, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ENTRY AND ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 13)

This case is before the Court on Plaintiff's Objections (Doc. 14) to Magistrate Judge Karen L. Litkovitz's Report and Recommendation (Doc. 13). Magistrate Judge Litkovitz found that the majority of Plaintiff's amended complaint "fails to state a claim with an arguable basis in law over which this federal Court has subject matter jurisdiction." (Doc. 13.) As such, Magistrate Judge Litkovitz recommends that Plaintiff's amended complaint, with the exception of Plaintiff's employment discrimination claim against Georgia Pacific (Count XXIV), be dismissed with prejudice. Plaintiff filed Objections (Doc. 14), making this matter ripe for the Court's review.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has made a de novo review of the record in this case. Upon said review, the Court finds that Plaintiff's Objections (Doc. 14) are not well-taken and are thus **OVERRULED**. The Court therefore **ADOPTS** the Report and Recommendation (Doc. 13) in its entirety. As

such, the Court hereby **ORDERS** that:

- (1) Plaintiff's amended complaint (Doc. 9), with the exception of Plaintiff's employment discrimination claim against Georgia Pacific (Count XXIV), is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B); and
- (2) Plaintiff's motion for equitable tolling, breach of contract, injunctive relief (Doc. 6) is **DENIED**.

Furthermore, the Court **CERTIFIES**, pursuant to 28 U.S.C. § 1915(a), that any appeal of this Order would not be taken in good faith and therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 

JUDGE MATTHEW W. McFARLAND